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Tape 52

Side A, 1/16 - 1/8

6 NOV 1978

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NOTE FOR:

FROM:

DCI

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I am to see Brzezinski at 3:00 tomorrow in advance of the PRC(I) meeting. Invite to come along if he'd like. We're going to give Brzezinski a preview. You can move the Black Employees to 1:30 instead of 2:00 if you'd like and that will squeeze it in.

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Xerox to for action.

Lives of CIA Agents Deliberately Imperiled

Remember Richard Welch? Welch was the CIA Chief of Station in Athens, Greece, who was gunned down by terrorists outside his home there on Dec. 23, 1975. He had been murdered after an editor of a local paper had "exposed" him as an agent and then printed his home address. The editor later acknowledged he had received a tip about Welch through an American publication called *CounterSpy*, which delighted in revealing CIA personnel.

CounterSpy went out of business, but the method of endangering the lives of CIA agents by making them vulnerable to murderous leftist gangs is being gleefully revived by some of the same players once associated with *CounterSpy*, most notably CIA defector-turned-pro-Communist, Philip Agee.

During the recent World Youth Festival held in Havana, William Schaap, a National Lawyers Guild attorney in Washington, D.C., announced from the Havana Libre Hotel the formation of a new group called Counter-Watch, which Agee will help superintend. The group will also publish a bimonthly journal in the Nation's Capital titled *CovertAction Information Bulletin*, whose primary purpose is to blow the cover of U.S. intelligence agents abroad in precisely the same manner as Welch's cover was blown.

In its premier July issue, Agee, in a joint statement with his colleagues, explicitly embraces the *CounterSpy* strategy as a means of crippling U.S. intelligence. As Agee states, there is "an important and vital role to be played by the sort of exposés for which *CounterSpy* had become world-famous. We decided that the dissemination of such information must resume. That *CounterSpy* and its uncovering of CIA personnel and operations around the world were so violently hated by the Agency was our best endorsement."



Agee (second from right) was photographed at a recent news conference in Havana which began a week-long anti-CIA harangue aimed at wrecking the United States' intelligence agency. Posted in front of Agee is a blow-up of the jacket for his how-to book on spotting U.S. spies.

Uncovering CIA agents and making them inviting targets to potential terrorist groups are just the beginning, as Agee & Co. stress they hope to "make this publication a permanent weapon in the fight against the CIA, the FBI, military intelligence and all the other instruments of U.S. imperialist oppression throughout the world. We know that the information and the research is there, crying out to be published and disseminated."

How will all this be accomplished? The publication encourages subscribers to send in tips on who's a possible CIA man. The editors will "try to track down all your leads. Most especially, we will never stop exposing CIA personnel and operations whenever and wherever we find them. We are particularly anxious to receive, anonymously if you desire, copies of U.S. diplomatic lists and U.S. Embassy staff and/or telephone directories, from any countries."

Indeed, the bulletin advertises a how-to-spot-a-spook book, edited and prepared by Agee and Lou Wolf (\$25 normally, but bulletin subscribers get a \$10 discount). Called *Dirty Work* and just published by Lyle Stuart, Inc., the book supposedly "describes in detail how to expose CIA personnel, includes dozens of articles from many countries which have done just that, and presents in Appendix form, detailed biographies of more than 700 undercover CIA and NSA personnel lurking in embassies and military installations in virtually every country on earth. We urge all our readers to study this book, and the simple methodology it sets forth. And, of course, to let us know the results of your own research."

In a separate article authored solely by Agee, the CIA defector gives more details on how to ferret out U.S. intelligence officials, and then urges that once the reader has compiled his own list through this "do-it-yourself" proc-

Tape 52

Side A, 2 7/8 - 3

6 NOV 1978

NOTE FOR: [REDACTED]

FROM: DCI

I made arrangements by phone with [REDACTED] to come out for lunch at 1200 as you scheduled on Tuesday. At 1300, I'd like to have him meet for

an hour with [REDACTED] and any ~~one~~ ~~one~~ small group [REDACTED] would like

to get together. Tell [REDACTED] is a good friend of mine and I think he is a very sharp thinker. [REDACTED]

ST

phoned Cile to pass action
Passed action telephonically to

Tom Wicker

Cheers for Carter on wiretapping

NEW YORK — It's not fashionable, these days, to say anything complimentary about President Carter, but one significant corner his administration has turned has not been sufficiently noted — wiretapping has declined precipitately since the Nixon-Ford years.

No upsurge in crime has resulted, either — as anyone who has studied the subject would have known. And despite the distressed cries of hard-line police types, the evidence continues to mount that wiretapping is not a very useful tool of law enforcement.

Tapping for foreign intelligence purposes may be somewhat more effective, although the security agencies have never produced evidence of it. The decline in law enforcement tapping therefore is all the more reason why Congress should proceed to bring foreign intelligence tapping under the limited authority of the Federal courts.

All other forms of Federal wiretapping — for law enforcement and for domestic intelligence — now require a prior Federal court authorization after a showing of probable cause

that a crime is being, or about to be, committed. A Senate-passed bill, supported by the Carter administration and at least *pro forma* by the FBI and the CIA, would require a somewhat lesser showing and a court authorization for a foreign intelligence tap placed in this country.

A weaker version of this measure has been cleared by the House Intelligence and Rules Committees and will come to the floor early in September, with cloudy prospects at best. On the one hand, Rep. Robert Drinan of Massachusetts, with the laudable motive of opposition to all wiretapping, will lead a group of liberals who want to kill the bill; more threatening is the opposition of the Republican Policy Committee, which wants to leave the whole question of intelligence tapping to the president's discretion.

This year's report from the Administrative Office of the U.S. Courts does little to support the persistent Republican view that wiretapping is an effective instrument. The report shows that Federal wiretaps placed for law enforcement purposes fell from 137 in

1976 to only 77 in the first year of the Carter administration. When that figure is adjusted to reflect taps placed in the last days of the Ford administration, Attorney General Griffin Bell is seen to have authorized taps in 1977 at an annual rate of only 68; that's half the rate of the last Ford year.

Within the overall total, moreover, tapping in the two most frequent areas of use also declined. In gambling cases, taps fell by 73, from 53 in 1976 to only 14 in 1977; in narcotics investigations, the drop was 39, from 36 taps to 22.

The reason is obvious. Carter and Bell did not have the commitment to wiretapping of their predecessors. The evidence, moreover, supported their skepticism. The 1978 Administrative Office report, following up on taps placed in earlier years, shows that for the two Nixon-Ford years 1974-75, 667 out of 906 convictions attributed to wiretaps — 74 of the total — were for gambling, scarcely a crime of major interest to a fear-ridden public.

Most of these convictions

were of minor figures in the gambling world. And narcotics cases were almost the only other area in which any number of convictions was reported.

Yet, the report puts the cost of one tap, in a racketeering case, at \$156,706; it estimates that on this tap alone 3,000 people were overheard in 9,883 conversations — only 30 of which were deemed "incriminating" (which is not the same thing as getting a conviction in court).

The Carter administration's reluctance to tap may have had some good effect on the states. No state gave its police new wiretap authority in 1977 (and none has in years); many states don't use wiretap authority previously provided; and in 1977, the number of state taps stayed at about the same level — 549 — as in previous years. Over 60 of these state taps, as usual, were placed in New York and New Jersey.

And what are the Republicans afraid of, anyway? Ineffective as tapping has been shown to be, in all of 1977, not a single one of the 626 Federal and State applications for a wiretap was turned down by a judge.

Tape 33
Side A, 0- 1/16

6 NOV 1978

D R A F T Director's Note Outline

1. Secrecy--and the Press
2. Secrecy--and Academia
3. Secrecy--Basic Policy
4. Secrecy--and the Courts
5. Secrecy--Briefcase Inspections

(do that as an outline--I'll try to come back to them here now)

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Tape 33

Side A, 1/16 - 1 1/2

DRAFT DIRECTOR'S NOTE

Secrecy--and the Press

On 16 October, I addressed the National Press Club of Washington. I talked about the similarity of the problem which the media profession faces today in protecting its sources of information and our problem in protecting ^{our} intelligence sources of information, and in fact protecting sources of intelligence. New York Times reporter Farber recently refused to disclose certain of his source information when demanded by the defense in a murder trial. Clearly, it was not easy either for Mr. Farber to go to jail for 40 days or the New York Times to pay fines in this instance, or for both to withhold information that a man felt he needed in order to defend himself and his life. Yet they did so on the larger principle of their interpretation of the rights of the press under the Constitution. In my talk I pointed out that we have an analogous problem in protecting our sources of information. Moreover, we are required to do this by law (the National Security Act of 1947 requires that the DCI protect our sources and methods of collecting intelligence from unauthorized disclosure). Similarly with us, it is always a difficult decision as to what disclosures would truly jeopardize our sources. Further, it is not our position to determine whether such jeopardy would outweigh the benefits to our country of prosecution in the courts. We simply make known what we expect the damage would be. In sum, both we and the press are regularly confronted with important issues here of balancing the long-term impact of disclosing information on our ability to continue our respective

contributions to our society and the benefit to our society of prosecuting *in* our courts alleged offenses against our laws.

Secrecy--and Academia

been
There has *a* good deal of discussion about the guidelines for association with the Intelligence Community which Harvard University issued some time ago. I have pointed out that ~~it would be~~ for the guidelines of any University *are* ~~as~~ applied to that University and are not laws which apply to other organizations. It would be unreasonable and infeasible for us or another other government agency to attempt to comply with the regulations of all the universities in our country. At the same time, we make a sincere effort to comply with those regulations insofar as we possibly can. When it is necessary to go contrary to them, we have procedures for high-level clearance to *in* ~~as~~ assure that such decisions are carefully thought out. Moreover, our regulations are such that we are not undertaking activities with respect to the U.S. academic community which we believe would be inimical to that community. Our relations with the American academic community are very important to us and are very warm and constructive today. ~~(Go back and slip this sentence in somewhere in the early part--~~ We disagree with only a few provisions of the Harvard guidelines, provisions which we think unfairly single out the Intelligence Community or which prejudice the rights of individual members of Harvard to associate with us or others of their choice.)

Secrecy--Basic Policy

simultaneous
I would like to reemphasize again that we are pursuing *a* two/courses towards improved security. The one is to be more open with the product of intelligence

--the estimates, analyses and studies which can be declassified. The other is to tighten the procedures which have been established to allow us to control dissemination of truly classified information within our organization. The policy of declassification helps us with respect to protecting the truly classified material because ~~there~~ it ensures that we are not attempting to protect unclassified things when we do not need to. I am grateful for indications of improved awareness around Headquarters of security procedures in general. In particular, the inspection~~y~~ of briefcases and packages being brought into or taken out of our buildings ^{is} ~~is~~ going well and is making an important contribution.

(Let me have this back in the rough, please.)